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C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 004498

SIPDIS

STATE FOR PM (DAS MAGGI) AND EUR/SE
SAF/IA FOR W. MITCHELL AND MAJ GEN GRATION
DSCA FOR LT. GEN. WALTERS AND LT COL BUCHHOLZ
DTSA FOR S. SEVIER
OSD FOR DUSD LISA BRONSON

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TAGS: [PREL](#) [TU](#) [MASS](#)

SUBJECT: TURKISH ARMED FORCES AGREE TO MOVE FORWARD ON
SPEWS II SALE

[1](#)1. (U) CLASSIFIED BY DEPUTY CHIEF OF MISSION ROBERT DEUTSCH.
REASONS 1.5 (B) AND (D).

[1](#)2. (C) SUMMARY: THE TURKISH ARMED FORCES HAVE ELECTED TO MOVE FORWARD WITH THE PROCUREMENT OF THE SELF PROTECTION ELECTRONIC WARFARE SYSTEM (SPEWS) II FROM BAE SYSTEMS NORTH AMERICA (BAE), SUBJECT TO CERTAIN CONDITIONS. MAJ GEN SCOTT GRATION OF SAF/IA MET WITH THE TURKISH GENERAL STAFF (TGS) AND TURKISH AIR FORCE COMMAND (T AFC) SENIOR LEADERSHIP ON JULY 10 AND 11 REGARDING THE USG DECISION TO APPROVE THE SALE, SUBJECT TO CERTAIN RESTRICTIONS. THE USG'S PRIMARY RESTRICTION ON THE SALE IS THAT BAE MAY NOT RELEASE THE SOFTWARE SOURCE CODE THAT CONTROLS THE FUNCTIONALITY OF THE JAMMER DIGITAL RF MEMORY (DRFM). END SUMMARY

[1](#)3. (C) BACKGROUND: FOR MANY YEARS, T AFC HAS OPERATED THE SPEWS I ON THEIR BLOCK 30 AND 40 F-16S. T AFC HAS BEEN IN THE PROCESS OF PROCURING SPEWS II FOR SEVERAL YEARS, A FOLLOW-ON ELECTRONIC WARFARE (EW) SUITE FOR THEIR BLOCK 50 F-16S FROM BAE. HOWEVER, THE EXPORT LICENSE FOR SPEWS II HAS BEEN IN THE APPROVAL PROCESS WITHIN THE USG INTERAGENCY FOR MANY MONTHS, WITH A NUMBER OF CONTENTIOUS ISSUES TO RESOLVE. THE MOST PROBLEMATIC HAS BEEN THE GOT'S INSISTENCE ON FULL SOFTWARE SOURCE CODE RELEASE. AT THE END OF JUNE 2003, THE DEPARTMENT OF DEFENSE (DOD) (WITH STATE DEPARTMENT CONCURRENCE) REACHED AN AGREEMENT TO APPROVE THE MASTER LICENSE AGREEMENT (MLA) FOR SPEWS II, WITH LIMITING RESTRICTIONS. END BACKGROUND

[1](#)4. (C) MAJ GEN GRATION WAS ACCOMPANIED TO HIS MEETINGS BY MAJOR GENERAL QUENTIN PETERSON AND MAJOR JOSE COLON OF THE OFFICE OF DEFENSE COOPERATION, LT COL JOHN TAYLOR OF SAF/IA AND STEELE MEANS OF THE POLITICAL MILITARY AFFAIRS SECTION. THROUGHOUT THE COURSE OF THE MEETINGS, MAJ GEN GRATION STRESSED THE FOLLOWING POINTS. FIRST, SPEWS II IS A STATE-OF-THE-ART, DIGITAL EW SELF-PROTECTION SUITE, WHICH WILL MEET TURKEY'S OPERATIONAL REQUIREMENTS AND CAN BE REPROGRAMMED IN-COUNTRY TO MEET CHANGING THREAT CONDITIONS. TURKEY WILL GET ALL OF THE REQUIRED SOFTWARE SOURCE CODE TO PERFORM ROUTINE MAINTENANCE AND IN-COUNTRY REPROGRAMMING ON THE SPEWS II SYSTEM, EXCLUDING THE DRFM SOURCE CODE. IN ADDITION, THE USG IS COMMITTED TO ENSURING THAT TURKEY IS ABLE TO HAVE MODIFICATIONS AND UPDATES MADE TO THE SYSTEM, TO INCLUDE WORK ON THE SOFTWARE NOT AUTHORIZED FOR GENERAL RELEASE. MAJ GEN GRATION ALSO POINTED OUT THAT IF T AFC DECIDES TO PURCHASE A NON-US EW SYSTEM, THERE WILL BE SIGNIFICANT INTEGRATION PROBLEMS AND SCHEDULE DELAYS. SINCE F-16 SOURCE CODE IS SUBJECT TO USG APPROVAL FOR RELEASE, FRENCH OR ISRAELI EFFORTS WILL BE EXTREMELY DIFFICULT WITHOUT USG ASSISTANCE. FINALLY, TURKEY WILL HAVE CO-DEVELOPMENT OPPORTUNITIES FOR THE DIGITAL RECEIVER SOURCE CODE -- A FIRST FOR A US ALLY SINCE THIS LEVEL OF CO-PRODUCTION OF A MODERN EW SUITE HAS NOT BEEN AUTHORIZED FOR EXPORT TO ANY OTHER COUNTRY.

[1](#)5. (C) MAJ GEN GRATION'S FIRST MEETING ON JULY 10 WAS WITH LIEUTENANT GENERAL TURGUT (TGS J5). TURGUT WAS SUPPORTIVE AND CLEARLY STATED THERE SHOULD BE NO ARGUMENT, GIVEN THE FACT THAT THE POLICY OF WITHHOLDING THE DRFM SOURCE CODE APPLIED EQUALLY TO ALL COUNTRIES, AND THAT TURKEY WAS NOT BEING SINGLED OUT FOR DISCRIMINATION.

[1](#)6. (C) THE NEXT MEETING, LATER THAT AFTERNOON, WAS WITH A TEAM OF T AFC OFFICERS, LED BY THE T AFC CHIEF OF PLANS/POLICY, MAJ GEN BALANLI. BALANLI AND HIS TEAM VOICED A NUMBER OF SERIOUS OBJECTIONS TO THE NON-RELEASE OF THE DRFM SOURCE CODE. MOST IMPORTANTLY, THEY CONSISTENTLY CLAIMED THAT BAE HAD PROMISED THE GOT ALL OF THE SPEWS II SOURCE CODE IN THEIR ORIGINAL CONTRACT AND THAT THE HIGH COST OF THE SYSTEM INCLUDED ALL OF THE SOURCE CODE. SECOND, SINCE T AFC PLANS TO OPERATE THE SYSTEM FOR MANY YEARS, THEY REQUIRE THE INDIGENOUS CAPABILITY TO MODIFY AND UPDATE THE SYSTEM SOFTWARE AND HARDWARE. FINALLY, THEY CLAIMED THAT THE FRENCH

AND ISRAELIS WILL SELL THE GOT A SIMILAR EW SUITE WITHOUT ANY RESTRICTIONS ON SOURCE CODE RELEASE. THE UNDER SECRETARIAT OF DEFENSE INDUSTRIES (SSM) HAS CONTINUED TO INSIST THAT THE TERMS OF THE BAE PROPOSAL BE EQUAL TO OR BETTER THAN THE FRENCH THALES PROPOSAL, IN ORDER TO EXECUTE THE PROGRAM AS BUDGETED. GEN BALANLI SAID THAT THE REPORT OF THE MEETING WOULD BE PASSED TO GEN ASPARUK, THE T AFC COMMANDER, IN PREPARATION FOR THE JULY 11 MEETING.

17. (C) IN A MEETING ON JULY 11, THE T AFC COMMANDER, GEN ASPARUK, ECHOED SIMILAR CONCERNS AS THE T AFC TEAM THE DAY BEFORE, BUT AGREED TO MOVE FORWARD WITH THE PURCHASE OF SPEWS II FROM BAE, DESPITE THE USG DECISION TO WITHHOLD THE DRFM SOURCE CODE. AFTER DISCUSSIONS, GEN ASPARUK AGREED THAT, IN ORDER FOR THE SALE TO MOVE FORWARD, THE FOLLOWING ACTIONS SHOULD BE TAKEN. FIRST, THE U.S. AIR FORCE (USAF) WILL PROVIDE A LETTER TO T AFC ASSURING THAT THE USAF WILL HOLD THE NON-RELEASABLE DRFM SOURCE CODE IN ESCROW IN THE UNLIKELY EVENT THAT BAE IS UNABLE OR UNWILLING TO PROVIDE FURTHER SOFTWARE UPDATES AND MODIFICATIONS. THIS IS TO ASSURE T AFC THAT IT WILL ALWAYS HAVE ACCESS TO THE SOURCE CODE IN ORDER TO MAKE UPGRADES OR MODIFICATIONS TO THE SYSTEM IN LATER YEARS. SECOND, THAT WHEN/IF THE SOFTWARE HELD IN ESCROW IS RELEASED, THE GOT WILL INCUR NO ADDITIONAL COSTS ASSOCIATED WITH THE RELEASE. FINALLY, BAE WILL PETITION SSM FOR A 20-30 DAY EXTENSION BEYOND THE JULY 15 DEADLINE TO ALLOW FOR THE SUBMISSION OF THE AFOREMENTIONED USAF LETTER AND ANY AMENDMENTS TO THE BAE CONTRACT. GEN GRATION AGREED TO WORK THE FIRST REQUEST AND PASS THE OTHER TWO REQUESTS TO BAE REPRESENTATIVES.

18. (C) COMMENT: THE CLAIM BY T AFC THAT BAE HAD PROMISED THE GOT ALL OF THE SPEWS II SOURCE CODE RAISES A POSSIBLE COMPLIANCE ISSUE. ALTHOUGH BAE HAS DIRECTLY DENIED THAT THEY MADE ANY SUCH PROMISE TO T AFC, SAF/IA IS CURRENTLY EVALUATING THE CONTRACT WITH RESPECT TO THE T AFC CLAIM. END COMMENT

19. (U) THIS CABLE HAS BEEN CLEARED BY MAJ GEN GRATION.

PEARSON